

Joyce Weaver Johnson
Assistant Municipal Attorney
Municipal Attorney's Office
P.O. Box 196650
Anchorage, Alaska 99519-6650
Phone: (907) 343-4545
Fax: (907) 343-4550
E-mail: uslit@muni.org

Attorney for Defendants
Municipality of Anchorage
Anchorage Police Department
Walt Monegan
Officers Voss and Henikman

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

CAROLYN MITCHELL,

Plaintiff,

vs.

ANCHORAGE POLICE DEPARTMENT and
the MUNICIPALITY OF ANCHORAGE, a
municipal corporation, WALTER MONEGAN,
Officer IIENIKMAN, and Officer J. VOSS,

Defendants.

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Case No. 3:05-cv-00273-JWS

AFFIDAVIT OF OFFICER ROSS HENIKMAN

[illegible]

Officer Ross Henikman, being first duly sworn upon oath, hereby deposes and states:

1. I am employed as a police officer for the Municipality of Anchorage Police Department. I make this Affidavit of my own personal knowledge, including my review of my police report, Ex. B at Bates no. 17, the dispatch log, Ex. C to Defendants' Motion for Summary Judgment and my November 28, 2006, deposition.

2. On May 8, 2004 at approximately 3:30 p.m., I was dispatched to respond to a report of an armed robbery at the Wells Fargo Bank located at 600 E. Northern Lights Boulevard, the Sears Mall.

3. The bank robber had indicated she had a gun. Various descriptions of the robber were aired over dispatch between approximately 3:32 p.m. and 3:40 p.m. See Ex. A at 3-6. The description of the suspect that I was looking for was a black female adult carrying a bag.

4. The scene at the Sears Mall that day was a dynamic one, involving multiple radio transmissions and many law enforcement personnel. I was responsible for covering an exit of the Mall. Many individuals were not only leaving, but also trying to enter, the Sears Mall. I had many citizens approach me and ask what was going on. I was responsible for multiple tasks at that position.

5. It has been my experience that eyewitness descriptions are not always accurate. Also, suspects in robberies often change their clothing, alter their appearance and discard weapons and other evidence in an effort to escape the scene. I was open to all of those possibilities.

5. At approximately 3:40 p.m., I observed a black female carrying a bag and wearing a white Nike jumpsuit and a blue shirt exit the Sears Mall. I thought this woman matched the description of the bank robbery suspect. Because she matched the description, I believed that she was armed.

6. I placed this woman in handcuffs while Officer Voss covered me with his gun drawn. I then searched the suspect's purse and identified her as Carolyn Mitchell by a military identification card.

7. Officer Voss and I detained Ms. Mitchell in handcuffs not far from the mall exit and the police car until another officer could bring the bank teller by to identify the bank robber. From my recollection and from reviewing KTUU news footage of the scene (Ex. B to Defendants' Motion for Summary Judgment) I believe that we were carrying our guns at rest in our slings during this time.

8. While Officer Voss and I detained Ms. Mitchell, I explained to her that she was being detained until the bank teller could be brought by to identify her as the bank robbery suspect.

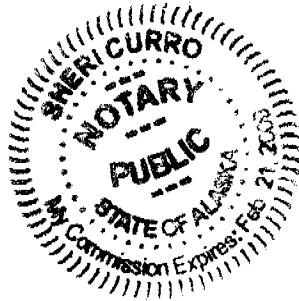
9. Ms. Mitchell's son, Demarcus, was with her at the time she was apprehended. Demarcus was within my sight throughout Ms. Mitchell's detention. Ms. Mitchell requested that her son be allowed to use her cell phone. I did not allow Demarcus to use this for officer safety reasons. When detaining suspects, I do not want them to use cell phones because they could use the phone to call their associates.


10. A show-up with the bank teller was conducted by another officer. As soon as we were notified that Ms. Mitchell was not the bank robber, we immediately released her.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

By: 
Officer Ross Henikman

SUBSCRIBED and SWORN to before me this 27th day of April, 2007.




Notary Public in and for Alaska
My commission expires: 2-21-09

The undersigned hereby certifies that on 4/30/07 a true and correct copy of the *Affidavit of Officer Ross Henikman* was served on:

Isaac D. Zorea
Moshe C. Zorea

by first class regular mail, if noted above, or by electronic means through the ECF system as indicated on the Notice of Electronic Filing.

s/ Sheri Curro
Sheri Curro, Legal Secretary
Municipal Attorney's Office